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Government of Kerala
1983

Reg. No. K./TV(N).

# KERALA GAZETTE

## EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Friday, 11th November 1983 / 20th Karthika 1905 [No. 1361

### SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 11270/LA4/83. *Dated, Trivandrum, 11th November, 1983.*

The Prevention of Corruption (Kerala Amendment) Bill, 1983 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
*Secretary,*
*Legislative Assembly.*

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33/4789/MC

**Seventh Kerala Legislative Assembly**

**Bill No. 68**

# THE PREVENTION OF CORRUPTION (KERALA AMENDMENT) BILL, 1983

*A*

*BILL*

*further to amend the Prevention of Corruption Act,* 1947, *in its application to the State of Kerala.*

*Preamble.*—WHEREAS it is expedient further to amend the Prevention of Corruption Act, 1947, in its application to the State of Kerala, for the purpose hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Prevention of Corruption (Kerala Amendment) Act, 1983.

(2) It shall come into force at once.

2. *Amendment of Central Act* 2 *of* 1947.—In the Prevention of Corruption Act, 1947 (Central Act 2 of 1947), as amended by the Kerala Criminal Law Amendment Act, 1962 (27 of 1962), in sub-section (1) of section 6, after clause (bb), the following clause shall be inserted, namely:—

"(bbb) in the case of a person in the service or pay of—

(i) a Corporation established by or under a State Act or established by the State Government under a Central Act; or

(ii) a company as defined in section 3 of the Companies Act, 1956 (Central Act 1 of 1956), in which not less than fifty-one per cent of the paid up share capital is held by the State Government,

of the State Government,".

## STATEMENT OF OBJECTS AND REASONS

According to clause (c) of sub-section (1) of section 6 of the Prevention of Corruption Act, 1947 (Central Act 2 of 1947), the authority competent to give previous sanction for prosecution under that Act of an officer or other employee of the Kerala State Electricity Board or the Kerala State Road

Transport Corporation or any other Corporation or Company under the control of the State Government is the authority competent to remove him from his office. The authority competent to remove from his office any officer or other employee of the Board or Corporation or Company referred to above is the Board or the Corporation or the Board of Directors of the Company, as the case may be, or any authority under such Board or Corporation or Board of Directors. If the authority competent to give previous sanction for prosecution of any such officer or other employee under the Prevention of Corruption Act, 1947, delays, or does not give, such sanction, it will not be possible for the Vigilance Department to take steps for the prosecution of such officer or other employee.

2. It has been brought to the notice of the State Government that the Vigilance Department is experiencing difficulties in launching prosecutions against the officers and other employees of the Board, Corporation and Companies referred to above, under the Prevention of Corruption Act, 1947 as the required previous sanction is either not given or is delayed. It is therefore considered necessary to amend the said Act in its application to the State of Kerala to empower the State Government to give previous sanction for prosecution under that Act in the case of any officer or other employee of the Board, Corporation or Companies referred to above.

3. The Bill is intended to achieve the above object.

## FINANCIAL MEMORANDUM

The Bill if enacted and brought into operation will not entail substantial additional financial commitment from the Consolidated Fund of the State since no appointment of additional staff is contemplated. But there may be marginal increase in expenditure under travelling and daily allowances of the officers of the Vigilance Department and the witnesses. The additional expenditure which will have to be incurred on this account cannot now be estimated with any degree of accuracy.

VAYALAR RAVI.

Reg. No. KL/TV(N)/12

Government of Kerala
1983

# KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

**Law (Legislation-A) Department**

NOTIFICATION

No. 6119/Leg. (A) 2/83/Law. *Dated, Trivandrum, 11th November, 1983/ 20th Karthika, 1905.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the President on the 6th day of November, 1983.

By order of the Governor,

K. VISWANATHAN NAIR,
*Law Secretary.*

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1983.

33/4791/MO.

# ACT 19 OF 1983

## THE KERALA FINANCE ACT, 1983

*An Act to give effect to the financial proposals of the Government of Kerala for the financial year 1983-84.*

*Preamble.*—WHEREAS it is expedient to give effect to the financial proposals of the Government of Kerala for the financial year 1983-84;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Finance Act, 1983.

(2) Section 2, section 4, clause (1) of section 5 and section 6 shall be deemed to have come into force on the 1st day of April, 1983 and the remaining provisions of this Act shall be deemed to have come into force on the 13th day of June, 1983.

2. *Amendment of Act 35 of 1958.*—In the Kerala Money Lenders Act, 1958 (35 of 1958),—

(a) in clause (7) of section 2, in *Explanation II*, for the word, figures and letter "section 16A", the word, figures and letter "section 16B" shall be substituted;

(b) in section 4, for sub-section (2), the following sub-sections shall be substituted, namely:—

"(2) Every licence shall be granted in such form as may be prescribed and shall be subject to the following conditions and to such other conditions as may be prescribed, namely:—

(i) payment of a licence fee of one thousand rupees;

(ii) payment of security as provided in sub-section (2A).

(2A) Every licensee specified in column (1) of the Table below shall, within such time and in such manner as may be prescribed, deposit in the Government Treasury in respect of each licence held by him, the amount specified in the corresponding entry in column (2) of the said Table, by way of security for the due observance of the conditions of the licence.

*Explanation.*—For the removal of doubts, it is hereby declared that a money lender who has a branch or branches in the State of Kerala of his principal place of business situate outside the State shall be liable to deposit the security under this sub-section in respect of the branch or each of the branches, as the case may be.

TABLE

| (1) | (2) |
|---|---|
| 1. A licensee who lends less than one lakh rupees in an year | Five thousand rupees |
| 2. A licensee who lends one lakh rupees or above but less than five lakh rupees in an year | Ten thousand rupees |
| 3. A licensee who lends five lakh rupees or above but less than ten lakh rupees in an year | Twenty-five thousand rupees |
| 4. A licensee who lends ten lakh rupees or above in an year | Fifty thousand rupees |

(2B) For the purposes of sub-section (2A), the amount lent by a licensee for the year for which the security is to be paid shall be deemed to be the aggregate amount lent by him during the previous year:

Provided that in the case of a new licensee or a person who was a licensee only for a portion of the preceding year, the amount of security shall be determined on the basis of a declaration in the prescribed form as to the amount which he is likely to lend during the year, filed before the licensing authority in the prescribed manner.";

(c) section 16A shall be relettered as section 16B and—

(i) in section 16B as so relettered, in sub-section (1), after the word and figures "section 14", the words, brackets, figures and letter "or sub-section (1) of section 16A" shall be inserted;

(ii) before section 16B as so relettered, the following section shall be inserted, namely:—

"16A. *Forfeiture of security.*—(1) The licensing authority may, at any time, by order in writing, forfeit to the Government the whole or any portion of the security furnished under sub-section (2A) of section 4,

(a) if the licensee carries on the business of money lending in contravention of any of the provisions of this Act or the rules made thereunder or the conditions of the licensee; or

(b) if the licensee is convicted of an offence under section 9 or section 11 or section 13; or

(c) if the licensee maintains false accounts.

(2) Before forfeiting to the Government the whole or any portion of the security under sub-section (1), the licensing authority shall give the licensee a notice in writing stating the grounds on which it is proposed to take action and requiring him to show cause against it within such time as may be specified in the notice.

(3) Every order of the licensing authority under this section shall be communicated to the licensee in such manner as may be prescribed.".

3. *Amendment of Act 17 of 1959.*—In the Schedule to the Kerala Stamp Act, 1959 (17 of 1959), for Serial Number 48 and the entries relating thereto, the following shall be substituted, namely:—

| | |
|---|---|
| "48. Release, that is to say, any instrument (not being such a release as is provided for by section 24) whereby a person renounces a claim upon another person or against any specified property— | |
| (a) when such release operates in favour of his or her spouse or children,— | |
| (i) if the amount or value of the claim does not exceed Rs. 1000 | The same duty as a Bottomry Bond (No. 14) for such amount or value as set forth in the release |
| (ii) if the amount or value of the claim exceeds Rs. 1000 | Thirty rupees |
| (b) in any other case | The same duty as a conveyance (No. 21 or 22, as the case may be) for such amount or value as set forth in the release.". |

4. *Amendment of Act 13 of 1961.*—In section 6 of the Kerala Land Tax Act, 1961 (13 of 1961),—

(a) to sub-section (1), the following provisos shall be added, namely:—

"Provided that the rate of basic tax for every financial year commencing with the financial year 1983-84 shall, subject to the provisions of sub-section (2) and section 7, be twenty rupees per hectare per annum:

Provided further that the preceding proviso shall not apply in respect of lands held by a landholder if the aggregate extent of land held by him in the State is less than one hectare.";

(b) in sub-section (2),—

(i) in the opening paragraph, after the words "twenty-four rupees and seventy paise", the words "or, as the case may be, one hundred rupees", shall be inserted;

(ii) in the first proviso, after the words "four rupees and ninety-four paise", the words "or, as the case may be, twenty rupees" shall be inserted;

(iii) in the second proviso,—

(A) after the words "four rupees and ninety-four paise", the words "or, as the case may be, twenty rupees", shall be inserted;

(B) after the words "twenty-four rupees and seventy paise", the words "or, as the case may be, one hundred rupees" shall be inserted.

5. *Amendment of Act 15 of 1963.*—In the Kerala General Sales Tax Act, 1963 (15 of 1963),—

(1) in section 14,—

(a) in sub-section (1), for the words "ten rupees", the words "fifty rupees" shall be substituted;

(b) in sub-section (3), for the words "five rupees", the words "twenty-five rupees" shall be substituted;

(2) in the First Schedule,—

(a) In the entry in column (2) against Serial Number 21, the words "or French Coffee" shall be inserted at the end;

(b) after Serial Number 21 and the entries relating thereto, the following shall be inserted, namely:—

| | | |
|---|---|---|
| "21A. French Coffee (admixture of coffee and chicory) | At the point of first sale in the State by a dealer who is liable to tax under section 5 | 6 |
| *Explanation.*—Where a tax has been levied in respect of coffee seeds or coffee powder or chicory, the tax leviable on French Coffee produced out of such coffee seeds or powder or chicory shall be reduced by the amount of tax levied on such coffee seeds or powder or chicory, as the case may be."; | | |

(c) (i) in the entry in column (2) against Serial Number 33, for the words "sauces and beverages, bottled or canned and sold under brand name", the words "sauces, aerated waters and beverages, bottled or canned" shall be substituted;

(ii) in the *Explanation* under Serial Number 33 and the entries relating thereto, the words and figures "or item 34" shall be omitted;

(d) Serial Number 34 and the entries relating thereto shall be omitted;

(e) in column (4) against Serial Number 36A, for the figures "15", the figures "35" shall be substituted;

(f) in column (2) against Serial Number 42, for the words "and synthetic polyester fibre", the words "synthetic polyester fibre and staple fibre yarn" shall be substituted;

(g) Serial Number 43 and the entries relating thereto shall be omitted;

(h) for Serial Numbers 72 and 72A and the entries relating thereto, the following shall be substituted, namely:—

| | | | |
|---|---|---|---|
| "72. | Paints, colours, lacquers varnishes, pigments, polishes, indigo, enamel, putty, bale oil, white oil, turpentine oil and thinners | At the point of first sale in the State by a dealer who is liable to tax under section 5 | 10 |
| 72A. | Abrasives and paint brushes | do. | 7"; |

(i) for Serial Number 102 and tbe entries relating thereto, tbe following shall be substituted, namely:—

| | | | |
|---|---|---|---|
| "102. | Cement, excluding white cement | At the point of first sale in tbe State by a dealer who is liable to tax under section 5 | 10 |
| 102A. | White cement | do. | 15"; |

(j) in column (4) against Serial Number 137, for the figure "7", tbe figures "10" shall be substituted;

(k) in column (4) against Serial Number 162, for the figure "2", the figure "5" shall be substituted.

6. *Amendment of Act 19 of 1976.*—In tbe Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), for section 25, the following section shall be substituted, namely:—

"25. *Surcharge and additional surcharge on tax.*—The amount of tbe tax leviable under sub-section (1) of section 3 shall,—

(a) in tbe case of any motor vehicle, be increased by a surcharge at the rate of ten per cent of the tax so leviable;

(b) in the case of any motor vehicle referred to in sub-item (iii) of item 4 of tbe Schedule, the registered owner of which is a fleet owner, be increased by an additional surcharge at the rate of forty per cent of the tax so leviable,

and the provisions of this Act shall, so far as may be, apply in relation to such surcharge and additional surcharge as tbey apply in relation to the tax leviable under sub-section (1) of section 3.".

7. *Amendment of Act 20 of 1978.*—In section 2 of the Kerala Additional Sales Tax Act, 1978 (20 of 1978), in sub-section (1), for the words "ten per cent", the words "fifteen per cent" shall be substituted.

8. *Amendment of Act 29 of 1978.*—After section 5 of the Kerala Forest Produce (Fixation of Selling Price) Act, 1978 (29 of 1978), the following section shall be inserted, namely:—

"5A. *Additional price to be paid by industrial establishments.*—(1) Any Industrial establishment wbich purchases bamboos, reeds or eucalyptus from tbe Government as raw materials, in pursuance of a contract executed by it with the Government, shall

pay, in addition to the price payable by it for sucb bamboos, reeds or eucalyptus, an additional price at the rate of twenty-five rupees per tonne of such bamboos, reeds or eucalyptus.

(2) The amount obtained by the imposition of the additional price under sub-section (1) shall, subject to such rules as may be made by the Government in this behalf, be set apart for being utilised for tbe regeneration of bamboos, reeds and eucalyptus.".

9. *Repeal and saving.*—(1) The Kerala Finance Ordinance, 1983 (20 of 1983), is bereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under each of the Acts specified in sections 3 to 9 of the said Ordinance, as amended by that Ordinance, shall be deemed to have been done or taken under that Act as amended by this Act.

Government of Kerala
19..3

Reg. No. KL/TV(N)/1

# KERALA GAZETTE

## EXTRAORDINARY

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GOVERNMENT OF KERALA

**Home (E) Department**

NOTIFICATION

G. O. Rt. 3551/83/Home. *Dated, Trivandrum, 11th November, 1983.*

**S. R. O. No. 1602/83.**—Under clause(s) of section 2 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and in modification of the notification issued under G. O. Rt. 1549/72/Home dated the 15th October, 1972 in so far as it relates to the local areas of jurisdiction of Binanipuram Police Station, the notification issued under G. O. Rt. 96/73/Home dated the 19th January, 1973 in so far as it relates to the local areas of jurisdiction of the North Parur Police Station, the notification issued under G. O. Rt. 1712/79/Home dated the 11th September, 1979 and published as S. R. O. No. 1091/79 in Part-I of the Kerala Gazette No. 38 dated the 25th September, 1979 in so far as it relates to the areas of jurisdiction of Eloor Police Station and the notification issued under G. O. Rt. 2014/80/Home dated the 27th September 1980 and published as S. R. O. No. 906/80 in the Kerala Gazette Extraordinary No. 725 dated the 30th September, 1980 in so far as it relates to the local areas of jurisdiction of Njarakkal Police Station, the Government of Kerala hereby:—

1. declare that building No. XIV/620 of Eloor Panchayat in Parur Taluk shall be a Police Station known as 'Varapuzha Police Station' with jurisdiction over the local areas specified under column (4) of Schedule-A below, and

33/4792/MC.

2. redefine the local areas of jurisdiction of the Eloor, Binanipuram, Njarakkal and North Parur Police Stations so as to include the local areas specified under column (4) of Schedules B, C, D and E respectively below:

SCHEDULE A

| *Name of Police Station* | *Taluk* | *Village* | *Local areas of jurisdiction/Karas* |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| Varapuzha | Parur | Varapuzha | 1. Varapuzha |
| | | | 2. Edampadam |
| | | | 3. Thundathumkadavu |
| | | | 4. Chirakkakom |
| | | | 5. Puthenpally |
| | | | 6. Muttinakom |
| | | | 7. Mannamthuruth |
| | | | 8. Thevarkadu |
| | | Alangade | 1. Olanad |
| | | | 2. Karingathuruth |
| | | Kottuvally | 1. Koonammavu and Kodavakkadu area in Kottuvally Kara |
| | | Kadamakudy | 1. Korampadam |
| | | | 2. Kandanad |
| | | | 3. Kothad |
| | | | 4. Chennoor |
| | | | 5. Chariamthuruth |

SCHEDULE B

| | | | |
|---|---|---|---|
| Eloor | Parur | Varapuzha | 1. Eloor South |
| | | | 2. Eloor North |
| | | | 3. Eloor East |
| | | | 4. Manjummel |
| | | Kadungalloor | 1. Kuttikattukara |

SCHEDULE C

| *Name of Police Station* | *Taluk* | *Village* | *Local areas of jurisdiction/ Karas* |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| Binanipuram | Parur | Kadungalloor | 1. Binanipuram<br>2. Muppathadam<br>3. Eramam<br>4. Eloorkara<br>5. Kaimathikkara |
| | | Alangadu | 1. West Kadungalloor<br>2. Panaikulam<br>3. Koduvazhanga<br>4. Thiruvalloor<br>5. Neerekoode<br>6. Chirayam<br>7. Methanam<br>8. Kongorappilly |

SCHEDULE D

| | | | |
|---|---|---|---|
| Njarakkal | Cochin | Edavanakkadu | 1. Edavanakkadu<br>2. Pazhangad<br>3. Kuzhupilly (Part) |
| | | Nayarambalam | 1. Nayarambalam<br>2. Nedungadu<br>3. Chakkarachal |
| | | Njarakkal | 1. Njarakkal<br>2. Manjanakkadu |
| | | Elamkunnapuzha | 1. Azheekkal<br>2. Murukkumpadam<br>3. South Malipuram<br>4. Ochamthuruth<br>5. Puthuvype<br>6. Malipuram<br>7. Sangetham<br>8. Karthedam<br>9. Pakadu<br>10. Elamkunnapuzha |
| | | Kadamakudy | 1. Valiyakadamakudy<br>2. Cheriyakadamakudy<br>3. Pizhala<br>4. Mulamppilly |

SCHEDULE E

| *Name of Police Station* | *Taluk* | *Village* | *Local areas of jurisdiction/ Karas* |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| North Parur | Parur | Ayroor | 1. Manjali |
| | | Kottuvally | 1. Thathappilly<br>2. Kizhakkepram<br>3. Kytharam<br>4. Kottuvally (excepting Koonammavu and Kodavakkadu area)<br>5. Valluvally |
| | | Parur | 1. Paroothara<br>2. Perumpadanna<br>3. Nanthyattukunnam<br>4. Kedamangalam<br>5. Cheriapallanthuruth<br>6. Valiapallanthuruth |
| | | Ezhikkara | 1. Kadakkara<br>2. Ezhikkara North<br>3. Ezhikkara South<br>4. Palliyakkal |

This notification shall come into force on and with effect from 12th November, 1983.

By order of the Governor,

P. V. RADHALAKSHMI,
*Additional Secretary to Government.*

**Explanatory Note**

(This is not a part of the notification but is intended to indicate its General purport.)

It is decided to establish a Police Station at Varapuzha for the proper policing of the area. As the areas that are to be brought under the jurisdiction of the Police Station are now under the jurisdiction of the Police Stations at Eloor, Binanipuram, Parur and Njarakkal, resultant areas of jurisdiction of these Police Stations also need redefinition. This notification is to achieve these purposes.

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# KERALA GAZETTE

## EXTRAORDINARY

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## GOVERNMENT OF KERALA

### Health (G) Department

### NOTIFICATION

No. 43792/G3/83/HD. *Dated, Trivandrum, 5th November,* 1983.

**S. R. O. No. 1607/03.**—In exercise of the powers conferred by section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Government of Kerala, in consultation with the State Pollution Control Board, hereby makes the following rules to amend the Water (Prevention and Control of Pollution) Rules, 1976, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Water (Prevention and Control of Pollution) Amendment Rules, 1983.

(2) They shall come into force on the date of publication in the Official Gazette.

(3) Those who are already holding 'consent' or 'notice in lieu of consent' as per section 25/26 of the Water (Prevention and Control of Pollution) Act should apply afresh for consent of the Board as per these rules within 3 months of these rules coming into force.

2. *In the Water (Prevention and Control of Pollution) Rules, 1976, Amendment of rule 29.*—(1) In Chapter XII for rule 29, the following rule shall be substituted, and rule 29 shall be numbered as sub-rule (1) of that rule, namely:—

"29. *Application for consent of the Board.*—(1) An application for obtaining the consent of the Board for bringing into use any new or altered outlet for the discharge of sewage or trade effluent into a stream or well or sewer or on land or beginning to make use of any new discharge of sewage or trade effluent into a stream or well or sewer or on land under section 25, or for continuing an existing discharge of sewage or trade effluent into a stream or well or sewer or on land under section 26 of the Act shall be made to the Board in Form IV.

(2) after sub-rule (1), the following sub-rule shall be inserted, namely:—

"(2) Such application shall be accompanied by fees as prescribed in the Tables A and B below:

TABLE A

**Consent fee for industries**

| 1 | 2 | 3 |
|---|---|---|
| *Order of slab* | *Capital investment of the industry (in lakhs of rupees)* | *Consent fee (in rupees)* |
| 1. | 5 or below | 250 |
| 2. | 5+ to 10 | 500 |
| 3. | 10+ to 50 | 1000 |
| 4. | 50+ to 100 | 2000 |
| 5. | 100+ | 5000 |

+more than the stated figure, thus5† means more than 5.

TABLE B

**Consent fee for local bodies**

| *Order of slab* | *Population of the local body (in thousands)* | *Consent fee (in rupees)* |
|---|---|---|
| 1 | 2 | 3 |
| 1. | 50 or below | 250 |
| 2. | 50+ to 100 | 500 |
| 3. | 100+ to 500 | 1000 |
| 4. | 500+ to 1000 | 2000 |
| 5. | 1000+ | 5000 |

(3) Any application not accompanied by the prescribed fees shall not be entertained by the Board.

(4) The fees shall be paid by Bank Draft in favour of the "Kerala State Pollution Control Board" at Trivandrum.

(5) In Form IV of the Water (Prevention and Control of Pollution) Rules, 1976—

(i) in paragraph 1, in between the words "for a period upto...... ..............."and "in accordance with the facts" the following shall be inserted, namely:—

"........not exceeding three years and subject to section 27 of the Act",.

(ii) in paragraph 1, in sub-paragraph (c), after item No. (vi), the following items shall be inserted, namely:—

"(vii) Sewer owned by ...............

(viii) Well owned by ........................".

(iii) after paragraph 6, the following new paragraph shall be inserted, namely:—

"7, I/We enclose herewith Bank draft No.................................dated ......................for Rs...................(Rupees..............) in favour of the Kerala State Pollution Control Board, Trivandrum as fees payable under section 25/26 of the Act",

(6) In annexure to Form IV, in serial No.16 (a), the words "stream or well" shall be substituted by "stream or well or sewer".

By order of the Governor,

M. G. K. MURTHY,

*Secretary.*

## Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) has been amended by the Water (Prevention and Control of Pollution) Amendment Act, 1978 (44 of 1978). The amendment to section 25 of the Principal Act substitutes the words "stream or well" with "stream or well or sewer or on land" and stipulates that the application for consent of the State Board "shall be accompanied with such fees as may be prescribed". Rule 29 of the Water (Prevention and Control of Pollution) Rules, 1976 is accordingly amended.

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GOVERNMENT OF KERALA

**Home (C) Department**

NOTIFICATION

G.O. (MS) No. 153/83/Home. *Dated, Trivandrum, 10th November,* 1983.

**S. R. O. No. 1603/83.**—In exercise of the powers conferred by sub-section (1) of section 11 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Kerala, after consultation with the High Court of Kerala, hereby establish with effect from the 14th November, 1983 in the District (Sessions), Kozhikode a court of the Additional Judicial Magistrate of the Second Class to sit at the place Kozhikode.

By order of the Governor,

N. Kaleeswaran,
*Commissioner and Secretary to Government.*

33/4795/MG.

## Explanatory Note

(This is not part of the Notification but is intended to achieve its general purport).

Government have sanctioned the establishment of a court of the Additional Judicial Magistrate of the Second Class, at Kozhikode as per G.O.Rt. 3188/82/Home dated 30-11-1982. It is decided to give effect to the order from 14-11-1983. The Notification is intended to achieve this object.

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## EXTRAORDINARY

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Vol. XXVIII] Trivandrum, Friday, 11th November 1983 / 20th Karthika 1905 [No. 1365

GOVERNMENT OF KERALA

**Home (C) Department**

NOTIFICATION

G. O. (MS.) No. 155/83/Home. *Dated, Trivandrum, 10th November,* 1983.

**S. R. O. No. 1604/83.**—In exercise of the powers conferred by sub-section (1) of section 11 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) the Government of Kerala, after consultation with the High Court of Kerala, hereby make the following amendment to Notification-I issued under G. O. Ms. 57/74/Home dated the 1st April, 1974 and published in the Kerala Gazette Extraordinary No. 344 dated the 1st April, 1974 namely:—

## Amendment

In the Schedule to the said notification in the entries in column (2) relating to the District (Sessions) Palghat in column (1) for item 4 the following item shall be substituted, namely:—

"4. Court of Judicial Magistrate of the first class".

By order of the Governor,

N. Kaleeswaran,
*Commissioner and Secretary to Government.*

## Explanatory Note

(This is not part of the Notification but is intended to give its general purport).

By G. O. Rt. 2272/83/Home dated 18th August, 1983 sanction was accorded for the upgradation of the Judicial Second Class Magistrate's Court at Chittur into a Judicial First Class Magistrate's Court. The notification is intended o achieve this object.

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# KERALA GAZETTE

## EXTRAORDINARY

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GOVERNMENT OF KERALA

**Home (C) Department**

NOTIFICATION

G.O. Rt. No. 3532/83/Home. *Dated, Trivandrum, 10th November,* 1983.

**S. R. O. No. 1605/83.**—In exercise of the powers conferred by section 110 of the Motor Vehicles Act, 1939 (Central Act IV of 1939) and in supersession of the notification issued under G.O. Rt. 1610/80/Home dated the 11th August, 1980 and published as S. R. O. No. 824/80 in Part I of the Kerala Gazette No. 37 dated the 16th September, 1980 the Government of Kerala hereby appoint Smt. A. Krishna Kumari, District and Sessions Judge as member of he Motor Accidents Claims Tribunal, Ernakulam.

By order of the Governor,

N. Kaleeswaran,
*Commissioner and Secretary to Government.*

33/4797/MC.

## Explanatory Note

(This does not form part of the Notification but is intended to achieve its general purport).

Sri K. Lakshmanan Pillai, Motor Accident Claims Tribunal, Ernakulam retired on 31-10-1983. The Registrar, High Court of Kerala, has proposed to appoint Smt. A. Krishna Kumari, District Judge as Member, Motor Accident Claims Tribunal, Ernakulam under section 110 of the Motor Vehicles Act, 1939 (Central Act IV of 1939). Government have accepted the proposal. This Notification is intended to achieve the above object.

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GOVERNMENT OF KERALA

**Home (F) Department**

NOTIFICATION

G.O. Rt. No. 3455/83/Home. *Dated, Trivandrum, 5th November,* 1983.

**S. R. O. No. 1606/83.**—Under Sub-rule (1) of rule 53 of the Kerala Cinemas (Regulation) Rules 1975, the Government of Kerala hereby extend the term of the Board of Examiners for the purpose of holding Cinema Operators' Examination and issue of competency certificate thereof, reconstituted as per Notification, S.R.O. No.1526/82 dated the 4th December, 1982 and published in the Kerala Gazette Extraordinary No. 928 dated 10th December, 1982 for a period of one year.

By order of the Governor,

B. Sarojini Amma,
*Joint Secretary.*

33/4798/MC.

## Explanatory Note

(This does not form part of the notification, but is intended to explain its purport).

The term of the Board of Examiners for holding Cinema Operators' Examination reconstituted as per G. O. (Ms.) No. 145/82/Home dated 4-12-1982 will expire on 3-12-1983. It has therefore become necessary to extend the term of the Board. The above notification is intended to achieve the above purpose.

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# KERALA GAZETTE

## EXTRAORDINARY

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GOVERNMENT OF KERALA

**Food Department**

ORDER

No. 2006/B1/83/Food. *Dated, Trivandrum, 24th September,* 1983.

**S. R. O. No. 1608/83.**—In exercise of the powers conferred by sub-sections (1) and (2) of section **3** of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the Order of the Government of India in the Ministry of Agriculture and Irrigation (Department of Food) No. GSR.800 dated the 9th June, 1978, published in the Gazette of India, Part-II, Section 3, sub-section (i) dated the 17th June, 1980, the Government of Kerala hereby make the following order further to amend the Kerala Rationing Order, 1966, namely:—

1. *Short title and commencement.*—(1) This order may be called the Kerala Rationing (Amendment) Order, 1983.

(2) It shall come into force at once.

2. *Amendment of the Order.*—(a) In the Kerala Rationing Order, 1966,—in sub-clause (8B) of clause 45, after the words "and in such other manner as the Government may deem fit," the words "and for this purpose the

33/4800/MG

quantum of liability of the authorised retail distributor shall be adjudicated by the Government or Commissioner or District Collector or any Officer of the Civil Supplies Department not below the rank of a Taluk Supply Officer after giving him an opportunity of being heard" shall be added;

(b) in sub-clause (8B) of clause 51, after the words "and in such other manner as the Government may deem fit", the words "and for this purpose the quantum of liability of the authorised wholesaler shall be adjudicated by the Government or Commissioner or District Collector or any Officer of the Civil Supplies Department not below the rank of a Taluk Supply Officer after giving him an opportunity of being heard," shall be added.

By order of the Governor,

A. K. K. Nambiar,
*Secretary.*

**Explanatory Note**

(This does not form part of the notification, but is intended to explain the reason for the issue of the notification).

The Kerala High Court in Judgement in W.A. 257 of 1979 has observed that there is no provision in the agreement executed by Ration Dealers under the Kerala Rationing Order, 1966 entitling the Government to adjudicate the quantum of liability for recovery from the ration dealers. Hence, this amendment propose to provide an adjudicating power to the Government, to fix the quantum of liability.

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